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09/832,966	04/11/2001	Louis Amadio	03797.00026	9719

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EXAMINER
BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 02/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/832,966	AMADIO ET AL.
	Examiner	Art Unit	
	Dennis G. Bonshock	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 November 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>20 and 27-39</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>20 and 27-39</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Final Rejection

Response to Amendment

1.   It is hereby acknowledged that the following papers have been received and

placed on record in the file: Amendment as received on 6-09-2005.

2.   Claims 1-28 have been examined.

Status of Claims:

3.   Claims 20 and 27-39 are rejected under 35 U.S.C. 102(a) as being anticipated by

Poole, "*Mac OS 8.5 Bible*".

4.   Claims 1-19 and 21-26, have been cancelled by the applicant.

Claim Rejections - 35 USC § 112

5.   The *35 USC § 112 Rejection* has been withdrawn.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7.   Claims 20 and 27-39 are rejected under 35 U.S.C. 102(a) as being anticipated by

Poole, "*Mac OS 8.5 Bible*".

8.   With regard to claim 20, which teaches an operating system configure to support

a plurality of types, a method of displaying a plurality of files, a first file having a first file

type and a second file having a second file type, Poole teaches, on pages 81-84 and

131, the use of the Mac Operating System (Mac OS) in displaying a listing of files of a

plurality of file types. Pool further teaches, in figure 6-17, a first file being a Microsoft

Word type item, and a second item being a Photoshop type item (as is defined by the

image next to the Name and the associated Kind label). With regard to claim 20, which

teaches a set of relevant properties of each file being stored by the operating system,

Poole teaches, on pages 130 and 131, a set of relevant textual properties being stored

for each item, in the Name, Kind, Label, Date Modified, Size (and associated assignable

Label values), etc. With regard to claim 20, which teaches associating a first property

with the first file type and associating a second property with the second file type,

wherein the second property is different from the first property, Poole teaches, on pages

130 and 131, associating properties with file types in several different ways. First, the

OS allowing for user selection of a textual "Label" to associate with item types

differentiating on item form another ("Essential" assigned to the <Fund Raiser> file and

the <Quarterly Report rev1> file with "Cool" assigned to the <Shoes> file). Another

association is given by associating a Kind to each item (items with the W icon (for Word)

are associated with the "Microsoft Word 1x-5x document" Kind and items with the icon

with the eye (for Photoshop) are associated with the "Photoshop graphic" Kind). Finally

an association is given to each item relating to the file type by placing a particular

graphical depiction representing the type of file to the left of the file name (placing "a

folder icon" adjacent to "Urgent Items", "Active Projects", etc.; and a different icon for

each other type, a "page with a W over it" next to a "Microsoft Word Document", etc). It

is further noted that with Poole's "Label(s)" the user has the option to customize the

particular label to state any thing they desire, in this case for items in the "Active

Projects" folder they assigned two "alias" Kind items as "Project 1" (see page 131 and

132). With regard to claim 20, further teach displaying a first value of the first property

at a location relative to a first graphical representation of the first file, and displaying a

second value of the second property at a location relative to a second graphical

representation of the second file, Poole teaches, on pages 130 and 131 specifically

figure 6-17, displaying the associated value for a property at a location adjacent to the

graphical representation of the file. Pool further has the ability to be able to selectively

display the category of properties, or not display the category (see page 81),

furthermore some of the properties are not relevant to a particular item (Size is shown to

now be relevant to the folder type elements, but relevant for other content items, caret

icons are relevant for folders, but not the other content items, etc.) (see page 86).

9.   With regard to claim 27, which teaches a method for displaying items in a

computer operating system, Poole teaches, on pages 81-84 and 131, the use of the

Mac Operating System (Mac OS) in displaying a listing of files of a plurality of file types.

With regard to claim 27, which further teaches associating a first item type with a first

property, and associating a second item type with a second property, wherein the first

property is different form the second property and not associated with the second item

type, Pool further teaches, in figure 6-17, a first file being a Microsoft Word type item,

and a second item being a Photoshop type item (as is defined by the image next to the

Name and the associated Kind label). Poole teaches, on pages 130 and 131,

associating properties with file types in several different ways. First, the OS allowing for

user selection of a textual "Label" to associate with item types differentiating on item

form another ("Essential" assigned to the <Fund Raiser> file and the <Quarterly Report

rev1> file with "Cool" assigned to the <Shoes> file). Another association is given by

associating a Kind to each item (items with the W icon (for Word) are associated with

the "Microsoft Word 1x-5x document" Kind and items with the icon with the eye (for

Photoshop) are associated with the "Photoshop graphic" Kind). Finally an association is

given to each item relating to the file type by placing a particular graphical depiction

representing the type of file to the left of the file name (placing "a folder icon" adjacent to

"Urgent Items", "Active Projects", etc.; and a different icon for each other type, a "page

with a W over it" next to a "Microsoft Word Document", etc). It is further noted that with

Poole's "Labels" the user has the option to customize the particular label to state any

thing they desire, in this case for items in the "Active Projects" folder they assigned two

·"alias" Kind items as "Project 1" (see page 131 and 132). With regard to claim 27,

further teaching displaying a listing of a plurality of item type, wherein the plurality of

items comprises a first item of the first item type and a second item of the second item

type, Poole teaches, on pages 130 and 131 specifically figure 6-17, displaying the

associated value for a property at a location adjacent to the graphical representation of

the file. With regard to claim 27, further teaching displaying for each item in the listing a

graphical representation, a name, and a slot, Poole teaches, on pages 130 and 131

specifically figure 6-17, displaying a graphical representation of the file with the

associated name and displaying the associated value for a property at a slot adjacent to

the graphical representation and name. With regard to claim 27, further teaching displaying in the slot of the first item a value for the first property of the first item, and displaying in the slot of the second item a value for the second property of the second item, Poole teaches, on pages 130 and 131 specifically figure 6-17, associating a Kind value in a slot adjacent to each item. Items with the "Word icon" are associated with the "Microsoft Word 1x-5x document" Kind and items with the "Photoshop icon" are associated with the "Photoshop graphic" Kind. Pool further has the ability to be able to selectively display the category of properties, or not display the category (see page 81), furthermore some of the properties are not relevant to a particular item (Size is shown to now be relevant to the folder type elements, but relevant for other content items, caret icons are relevant for folders, but not the other content items, etc.) (see page 86).

10.   With regard to claim 28, which teaches the first item type comprising a first file format and the second item type comprising a second file format, Poole teaches, on pages 130 and 131 specifically figure 6-17, the items of different types being display with their respective type. "Word icon" are associated with the "Microsoft Word 1x-5x document" Kind (type) and items with the "Photoshop icon" are associated with the "Photoshop graphic" Kind (type).

11.   With regard to claim 29, which teaches all files having the first file type are displayed such the value of the first property of the file is displayed in the same location relative to the graphical representation of the file, Poole teaches, on pages 130 and 131, the associated properties (Kind, Label, etc) being displayed in the same position relative to each individual file.

12.   With regard to claim 30, which teaches the first property and the second property

being textual properties, Poole teaches, on pages 130 and 131, the property associated

with the first and second item being one of a textual description of a Label or a textual

description of a Kind.

13.   With regard to claim 31, which teaches the set of relevant properties for the first

file type being different from the set or relevant properties for the second file type, Pool

has the ability to be able to selectively display the category of properties, or not display

the category (see page 81 and page 116), furthermore some of the properties are not

relevant to a particular item (Size is shown to now be relevant to the folder type

elements, but relevant for other content items, caret icons are relevant for folders, but

not the other content items, etc.) (see page 86). Using Poole's "Labels" the user has

the option to customize the particular label to state any thing they desire, in this case for

items in the "Active Projects" folder they assigned two "alias" Kind items as "Project 1"

(see page 131 and 132). This shows that the user has the ability to decide which items

are in the relevant group and or create items that pertain to the type.

14.   With regard to claim 32, which teaches the set of relevant properties for the first

file type are user selectable, Poole's system has the ability to be able to selectively

display the category of properties, or not display the category (see page 81 and page

116), and using Poole's "Labels" the user has the option to customize the particular

label to state any thing they desire, in this case for items in the "Active Projects" folder

they assigned two "alias" Kind items as "Project 1" (see page 131 and 132). This

shows that the user has the ability to decide which items are in the relevant group and or create items that pertain to the type.

15.   With regard to claim 33, which teaches all items of the first type are displayed such that the value of the first property of the item is displayed in the slot of the item, Pool teaches, on page 131, the property associated with the items being (Label and Kind) being displayed for all items in the same slot adjacent the respective item.

16.   With regard to claim 34, which teaches the first property and the second property being textual properties, Poole teaches, on pages 130 and 131, the property associated with the first and second item being one of a textual description of a Label or a textual description of a Kind.

17.   With regard to claim 35, which teaches the first property and the second property being user-selectable, Poole's system has the ability to be able to selectively display the category of properties, or not display the category (see page 81 and page 116), and using Poole's "Labels" the user has the option to customize the particular label to state any thing they desire, in this case for items in the "Active Projects" folder they assigned two "alias" Kind items as "Project 1" (see page 131 and 132). This shows that the user has the ability to decide which items are in the relevant group and or create items that pertain to the type.

18.   With regard to claim 36, which teaches a computer-readable medium having computer-executable instructions, Poole teaches, on pages 81-84 and 131, the use of the Mac Operating System (Mac OS) in displaying a listing of files of a plurality of file types. With regard to claim 27, which further teaches associating a first item type with a

first property, and associating a second item type with a second property, wherein the

first property is different form the second property and not associated with the second

item type, Pool further teaches, in figure 6-17, a first file being a Microsoft Word type

item, and a second item being a Photoshop type item (as is defined by the image next

to the Name and the associated Kind label). Poole teaches, on pages 130 and 131,

associating properties with file types in several different ways. First, the OS allowing for

user selection of a textual "Label" to associate with item types differentiating on item

form another ("Essential" assigned to the <Fund Raiser> file and the <Quarterly Report

rev1> file with "Cool" assigned to the <Shoes> file). Another association is given by

associating a Kind to each item (items with the W icon (for Word) are associated with

the "Microsoft Word 1x-5x document" Kind and items with the icon with the eye (for

Photoshop) are associated with the "Photoshop graphic" Kind). Finally an association is

given to each item relating to the file type by placing a particular graphical depiction

representing the type of file to the left of the file name (placing "a folder icon" adjacent to

"Urgent Items", "Active Projects", etc.; and a different icon for each other type, a "page

with a W over it" next to a "Microsoft Word Document", etc). It is further noted that with

Poole's "Labels" the user has the option to customize the particular label to state any

thing they desire, in this case for items in the "Active Projects" folder they assigned two

"alias" Kind items as "Project 1" (see page 131 and 132). With regard to claim 36,

further teaching displaying a listing of a plurality of files, wherein the plurality of files

comprises a first file of the first file type and a second file of the second file type, Poole

teaches, on pages 130 and 131 specifically figure 6-17, displaying the associated value

for a property at a location adjacent to the graphical representation of the file. With

regard to claim 27, further teaching displaying for each file a graphical representation,

Poole teaches, on pages 130 and 131 specifically figure 6-17, displaying a graphical

representation of the file with the associated name and displaying the associated value

for a property at a slot adjacent to the graphical representation and name. With regard

to claim 27, further teaching displaying a first value for the first property at a location

relative to the graphical representation of the first file, and displaying a second value for

the second property at a location relative to the graphical representation of the second

file, Poole teaches, on pages 130 and 131 specifically figure 6-17, associating a Kind

value in a slot adjacent to each item. Items with the "Word icon" are associated with the

"Microsoft Word 1x-5x document" Kind and items with the "Photoshop icon" are

associated with the "Photoshop graphic" Kind. Pool further has the ability to be able to

selectively display the category of properties, or not display the category (see page 81),

furthermore some of the properties are not relevant to a particular item (Size is shown to

now be relevant to the folder type elements, but relevant for other content items, caret

icons are relevant for folders, but not the other content items, etc.) (see page 86).

19.   With regard to claim 37, which teaches all files having the first file type are

displayed such the value of the first property of the file is displayed in the same location

relative to the graphical representation of the file, Poole teaches, on pages 130 and

131, the associated properties (Kind, Label, etc) being displayed in the same position

relative to each individual file.

20.   With regard to claim 38, which teaches the first property and the second property

being textual properties, Poole teaches, on pages 130 and 131, the property associated

with the first and second item being one of a textual description of a Label or a textual

description of a Kind.

21.   With regard to claim 39, which teaches the set of relevant properties for the first

file type are user selectable, Poole's system has the ability to be able to selectively

display the category of properties, or not display the category (see page 81 and page

116), and using Poole's "Labels" the user has the option to customize the particular

label to state any thing they desire, in this case for items in the "Active Projects" folder

they assigned two "alias" Kind items as "Project 1" (see page 131 and 132). This

shows that the user has the ability to decide which items are in the relevant group and

or create items that pertain to the type.

Response to Arguments

22.   The arguments filed on 6-09-2005 have been fully considered, but they are not

persuasive. Reasons are set forth below.

23.   Applicants' argue that the locations of Poole's display screen cannot be used to

display a different property, counter to the claims of the instant application.

24.   The Examiner respectfully submits that using Poole's "Label(s)" the user has the

option to customize the particular label to state any thing they desire, in this case for

items in the "Active Projects" folder they assigned two "alias" Kind items as "Project 1"

(see page 131 and 132). This shows that the user has the ability to decide which items

are in the relevant group properties and or create items that pertain to the type, whether
these items are unique to a specific type of item or not. Taking a closer look at the
example on page 131, Poole shows "Labels" including: "HOT", "Essential", "In
Progress", "Cool", and "Project 1". These "Labels" are clearly different properties, in the
same location relative to the described file. Furthermore, the Graphical Depiction of the
file located adjacent to the file is another unique to type depiction.

25.   Applicants' argue that Poole doesn't teach all files having the first file type are
displayed such that the value of the first property of the file is displayed in the same
location relative to the graphical representation of the file.

26.   The Examiner respectfully submits that Poole teaches, on pages 130 and 131,
the associated properties (Kind, Label, etc) being displayed in the same position relative
to each individual file.

Conclusion

27.   Applicant's amendment necessitated the new ground(s) of rejection presented in
this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP
§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37
CFR 1.136(a).

28.   A shortened statutory period for reply to this final action is set to expire THREE
MONTHS from the mailing date of this action. In the event a first reply is filed within
TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

29.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dennis G. Bonshock whose telephone number is (571)

272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00

p.m.

30.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

31.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

1-27-06
dgb

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